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PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY


(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 17 NOV 2005

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Applicant's or agent's file reference	FOR FURTHER ACTION See Form PCT/PEA/416	
International application No. PCT/EP2004/002399	International filing date (day/month/year) 08.03.2004	Priority date (day/month/year) 24.03.2003
International Patent Classification (IPC) or national classification and IPC A61K7/06		
Applicant UNILEVER PLC et al.		
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> sent to the applicant and to the International Bureau) a total of sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>		
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the opinion</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>		
Date of submission of the demand 21.07.2004	Date of completion of this report 16.11.2005	
Name and mailing address of the International preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Vayssié, S Telephone No. +49 89 2399-8635	



**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/EP2004/002399

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language , which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):*

Description, Pages

1-38 as originally filed

Claims, Numbers

1-13 as originally filed

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/EP2004/002399

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-13
Inventive step (IS)	Yes: Claims	
	No: Claims	1-13
Industrial applicability (IA)	Yes: Claims	1-13
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

**INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(SEPARATE SHEET)**

International application No.

PCT/EP2004/002399

Section V

a) Documents of the State of the Art

Reference is made to the following documents:

- D1: WO 03/028677 A (UNILEVER PLC ;LEVER HINDUSTAN LTD (IN); UNILEVER NV (NL)) 10 April 2003 (2003-04-10)
D2: US-B1-6 350 439 (DUPUIS CHRISTINE) 26 February 2002 (2002-02-26)
D3: US-A-5 980 876 (PEFFLY MAJORIE MOSSMAN) 9 November 1999 (1999-11-09)
D4: US-B1-6 248 316 (PEFFLY MARJORIE MOSSMAN ET AL) 19 June 2001 (2001-06-19)
D5: EP-A-0 412 704 (PROCTER & GAMBLE) 13 February 1991 (1991-02-13)
D6: US-A-5 166 276 (KAWAGUCHI SIGEOKI ET AL) 24 November 1992 (1992-11-24)
D7: US-A-5 021 477 (GARBE JAMES E ET AL) 4 June 1991 (1991-06-04)
D8: US-A-4 693 935 (MAZUREK MIECZYSLAW H) 15 September 1987 (1987-09-15)
D9: US-A-4 728 571 (CLEMENS LAWRENCE M ET AL) 1 March 1988 (1988-03-01)
D10: US-A-5 776 444 (MURRAY ANDREW MALCOLM ET AL) 7 July 1998 (1998-07-07)
D11: US-B1-6 280 765 (GUERET JEAN-LOUIS H) 28 August 2001 (2001-08-28)
D12: US-A-5 330 747 (KRZYSIK DUANE G) 19 July 1994 (1994-07-19)
D13: US 2002/018790 A1 (MOTLEY CURTIS BOBBY ET AL) 14 February 2002 (2002-02-14)
D14: US 2002/018791 A1 (MOTLEY CURTIS BOBBY ET AL) 14 February 2002 (2002-02-14)
D15: PATENT ABSTRACTS OF JAPAN vol. 1998, no. 03, 27 February 1998 (1998-02-27) -& JP 09 301825 A (KANEBO LTD), 25 November 1997 (1997-11-25)

Certain published documents (Rule 70.10):

Application No Patent No	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
D1	10.04.03	18.09.02	01.10.01

Although D1 does not constitute prior art within the meaning of Rule 64.1(b) PCT, it appears to disclose all the technical features of Claims 1-13 (the relevant passages have already been indicated on the Search Report by the present Substantive Examiner acting as a Search Examiner).

**INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
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International application No.

PCT/EP2004/002399

b) Industrial Applicability

All claims fulfill the requirements of Article 33(4) PCT.

c) Novelty and Inventive Step

For the assessment of novelty and inventive step, it is to be noted that:

- the pressure sensitive adhesive nature of the silicone can be achieved by crosslinking (see D11)
- a wide range of compounds are encompassed by the Applicant's wording "organic solvent". For the purpose of examination, this large meaning was taken into consideration.

Claims 1-13

Novelty of independent Claims 1 and 11-13

The present invention does not meet the requirements of Article 33(2) PCT, because the subject-matter of these independent claims is not new. See:

D2-D7, D10, D12-D15: the relevant passages have already been indicated on the Search Report by the present Substantive Examiner acting as a Search Examiner.